

Nixon & Vanderhye PC

ATTORNEYS AT LAW

11TH FLOOR
901 NORTH GLEBE ROAD
ARLINGTON, VIRGINIA 22203-1808

TELEPHONE: (703) 816-4000
FACSIMILE: (703) 816-4100
WRITER'S DIRECT DIAL NUMBER:
(703) 816-4091

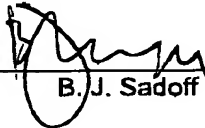
FACSIMILE COVER SHEET
PLEASE DELIVER IMMEDIATELY!!!!

Our Ref.: 1721-94
Your Ref.: Appln No. 10/538,715 Date: October 17, 2006
Office of Initial Patent Examination's Filing Receipt
To: Corrections
Firm: USPTO
Facsimile No.: Facsimile No.: (703) 305-9822
From: B. J. Sadoff

Number of Pages (including cover sheet): 6
(IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION,
PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper and any noted attachments are being facsimile transmitted to the Patent and Trademark Office on October 17, 2006.


B. J. Sadoff

ATTACHMENT/S: Request for Correction of Filing Receipt; marked-up copy of Filing Receipt mailed 10/4/2006; copy of Declaration filed 6/14/2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE			
In re Patent Application of			
FARDEAU et al.		Atty. Ref.:	1721-94
Serial No.	10/538,715	Group:	1645
Filed:	June 10, 2005	Examiner:	FORD, Vanessa L.
For:	BACTERIAL STRAINS OF GENUS EXIGUOBACTERIUM, CULTURE METHOD AND USES		

CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information belonging to Nixon & Vanderhye, which is confidential and/or legally privileged. This information is only intended for the use of the individual or entity named above. **IF YOU ARE NOT THE NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR TAKING OF THIS INFORMATION FOR ANY USE WHATSOEVER IS STRICTLY PROHIBITED.** If you have received this facsimile in error, please immediately contact us by telephone to arrange for return of the original documents to us.

1127685

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

FARDEAU et al.

Atty. Ref.: 1721-94

Serial No. 10/538,715

TC/A.U.: 1645

Filed: June 10, 2005

Examiner: Unknown

For: BACTERIAL STRAINS OF GENUS EXIGUOBACTERIUM,
CULTURE METHOD AND USES
* * * * *

October 17, 2006

Office of Initial Patent Examination's
Filing Receipt Corrections
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**VIA FACSIMILE**
(703) 305-9822

Sir:

REQUEST FOR CORRECTION OF FILING RECEIPT

Receipt of the Filing Receipt mailed October 4, 2006, is hereby acknowledged.

The Office is requested to provide a Corrected Filing Receipt which indicates the number of independent claims as "3", the second inventor's first name as "Yannick" and the third inventor's first name as "Bernard". Attached is a marked-up copy of the Filing Receipt mailed October 4, 2006, wherein the requested changes are shown. Also attached is a copy of the Declaration filed June 14, 2006. The Office is requested to advise the undersigned if anything further is required in this regard.

BEST AVAILABLE COPY

FARDEAU et al.
Serial No. 10/538,715

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



B. J. Sadoff
Reg. No. 36,663

BJS:pp
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

BEST AVAILABLE COPY


UNITED STATES PATENT AND TRADEMARK OFFICE *LWG*

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/538,715	06/14/2005	1845	1160	1721-94	BJS	11	2

CONFIRMATION NO. 1999
FILING RECEIPT


OC00000020673989

23117
 NIXON & VANDERHYE, PC
 901 NORTH GLEBE ROAD, 11TH FLOOR
 ARLINGTON, VA 22203

Date Mailed: 10/04/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Yannick Marie-Laure Fardeau, Les Pennes-Mirabeau, FRANCE;
~~X~~ Combet-Blanc, Marseille, FRANCE;
 Bernhard Ollivier, Roquevaire, FRANCE;
Bernard

Power of Attorney: The patent practitioners associated with Customer Number 23117.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/FR03/03665 12/10/2003

Foreign Applications

FRANCE 02 15 865 12/13/2002

If Required, Foreign Filing License Granted: 10/02/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/538,715**

Projected Publication Date: 01/11/2007

Non-Publication Request: No

Early Publication Request: No

Title

BEST AVAILABLE COPY

COPY

déclarat inventeurs us p1.jpg (2448x3216x256 jpeg)

1721-04
CP/SF 60850-2250Nixon & Vanderhye P.C. (10/99)
(Domestic Non-Assigned/Foreign) Page 1**RULE 63 (37 C.F.R. 1.63)
INVENTORS DECLARATION FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

BACTERIAL STRAINS OF GENUS EXIGUOBACTERIUM, CULTURE METHOD AND USES

the specification of which (check applicable box(es)):

☐ is attached hereto
☐ was filed on _____ as U.S. Application Serial No. _____ (Atty. Dkt. No. 1721-04)
☒ was filed as PCT International application No. PCT/FR03/003665 on 10 December 2003
 and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/265 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):	Application Number	Country	Day/Month/Year Filed
	02/15865	FR	13 December 2002


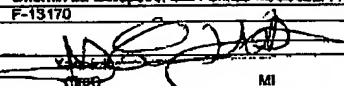
I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

Application Number	Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT International applications listed above or below:

Prior U.S./PCT Application(s):	Application Serial No.	Day/Month/Year Filed	Status: patented pending, abandoned
	PCT/FR03/003665	10 December 2003	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby appoint Nixon & Vanderhye P.C., telephone number 703-816-4000 (to whom all communications are to be directed) and the attorneys of: **Customer Number 23117**, individually and collectively owners/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent. I also authorize Nixon & Vanderhye to add or delete attorneys from that Customer Number, and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to Nixon & Vanderhye on behalf of the owner(s).

1.	Inventor's Signature: 	Date: 2 March 2006
	Inventor: Marie-Laure (first) FARDEAU (last) France (citizenship)	
	Residence: (city) Les Pennes-Mirabeau (state/country) France	
	Mailing Address: Chemin de Bellegarde, Les Pennes-Mirabeau, France	
	(Zip Code) F-13170	
2.	Inventor's Signature: 	Date: 2 March 2006
	Inventor: Vincent (first) COMBET-BLANC (last) France (citizenship)	
	Residence: (city) Marseille (state/country) France	
	Mailing Address: Residence Les Sources, 175 Ancien Chemin de Carado, Marseille, France	
	(Zip Code) F-13009	

[X] See attached sheet(s) for additional inventor(s) information!!


1007046

BEST AVAILABLE COPY

COPY

Déclaration invent US p2.jpg (2358x3354x256 jpeg)

1721-94
Serial No. unknown
Page 2Nixon & Vanderhye P.C. (10/99)
(Domestic Non-Assigned/Foreign)

3.	Inventor's Signature: Inventor:		Date:	<u>21 march 2006</u>
		Bernard (first)	MI	OLLMER (last)
	Residence: (city)	Roquevaire	(state/country)	France
	Mailing Address:	Quartier Velours, Roquevaire, France		
	(Zip Code)	F-13380		
4.	Inventor's Signature: Inventor:		Date:	
		(first)	MI	(last)
	Residence: (city)		(state/country)	
	Mailing Address:			
	(Zip Code)			
5.	Inventor's Signature: Inventor:		Date:	
		(first)	MI	(last)
	Residence: (city)		(state/country)	
	Mailing Address:			
	(Zip Code)			
6.	Inventor's Signature: Inventor:		Date:	
		(first)	MI	(last)
	Residence: (city)		(state/country)	
	Mailing Address:			
	(Zip Code)			

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.

BEST AVAILABLE COPY